

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)
MILSTEAD & ASSOCIATES, LLC

By: Andrew M. Lubin

Atty. ID: AL0814

1 E. Stow Road

Marlton, NJ 08053

(856) 482-1400

File No. 230854-3

Attorneys for Secured Creditor: FirstKey Master
Funding 2021-A Collateral Trust, U.S. Bank Trust
National Association as Collateral Trust Trustee

In Re:

Jennifer M. Rathgeb

Case No.: 21-10767-JNP
Chapter 13

Hearing Date: April 7, 2021
Time: 10:00 a.m.

Judge: Jerrold N. Poslusny, Jr.

OBJECTION TO CONFIRMATION OF CHAPTER 13 PLAN

FirstKey Master Funding 2021-A Collateral Trust, U.S. Bank Trust National Association as Collateral Trust Trustee (“Secured Creditor”), by its counsel, Andrew M. Lubin, Esquire, of Milstead & Associates, LLC, states the following grounds as an Objection to Confirmation of Debtor’s Chapter 13 Plan:

1. On January 28, 2021, Debtor, Jennifer M. Rathgeb filed a petition pursuant to Chapter 13 of Title 11 of the United States Code in the United States Bankruptcy Court for the District of New Jersey.
2. Secured Creditor is the holder of a second mortgage on real property owned by the Debtor known as and located at 306 Anna Avenue, Maple Shade, NJ 08052 (the “Property”).
3. Secured Creditor filed its Proof of Claim in this matter on February 22, 2021 at claim number 4-1.
4. The Secured Creditor’s note will mature on July 1, 2021.

5. As more fully set forth in the aforementioned proof of claim, as of the date of the filing of the instant Chapter 13 petition, the Debtor has a total debt claim in the amount of \$49,112.39.

6. Debtor's Chapter 13 Plan provides for payment of mortgage arrears in the amount of \$15,257.00 and regular monthly mortgage payments to Secured Creditor.

7. As the loan matures on July 1, 2021, Secured Creditor objects as Debtor's Plan does not propose to pay the total claim.

8. Secured Creditor objects as Debtor's Plan does not provide for Secured Creditor to be paid the contractual interest rate on its claim over the life of the plan.

WHEREFORE, Secured Creditor respectfully requests that the Court deny confirmation of the Chapter 13 Plan for the reasons hereinabove set forth.

DATED: March 17, 2021

Respectfully submitted
MILSTEAD & ASSOCIATES, LLC

/s/Andrew M. Lubin
Andrew M. Lubin, Esquire
Attorney ID No. AL0814
1 E. Stow Road
Marlton, NJ 08053
(856) 482-1400
Attorneys for Secured Creditor

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY	
Caption in Compliance with D.N.J. LBR 9004-2(c) MILSTEAD & ASSOCIATES, LLC By: Andrew M. Lubin Atty. ID: AL0814 1 E. Stow Road Marlton, NJ 08053 (856) 482-1400 File No. 230854-3 Attorneys for Secured Creditor: FirstKey Master Funding 2021-A Collateral Trust, U.S. Bank Trust National Association as Collateral Trust Trustee	
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CERTIFICATION OF SERVICE

1. I, Andrew M. Lubin, Esquire:

☒ represent the Secured Creditor in the above-captioned matter.

☐ am the secretary/paralegal for _____, who represents the
_____ in the above captioned matter.

☐ am the _____ in the above case and am representing myself.

2. On March 17, 2021, I sent a copy of the following pleadings and/or documents to the parties listed in the chart below:

Objection to Confirmation of Chapter 13 Plan

3. I hereby certify under penalty of perjury that the above documents were sent using the mode of service indicated.

DATED: March 17, 2021

/s/ Andrew M. Lubin

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
Isabel C. Balboa Chapter 13 Standing Trustee Cherry Tree Corporate Center 535 Route 38 - Suite 580 Cherry Hill, NJ 08002	Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
Lee Martin Perlman 1926 Greentree Road Suite 100 Cherry Hill,, NJ 08003	Debtor's Attorney	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
Jennifer M. Rathgeb 306 Anna Avenue Maple Shade, NJ 08052	Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)

* May account for service by fax or other means as authorized by the court through the issuance of an Order Shortening Time.